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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Third periodic reports submitted by States parties under articles 16 and 17 of the Covenant

Addendum

UKRAINE

[19 September 1994]

The second periodic reports submitted by the Government of Ukraine concerning rights covered by articles 10 to 12 of the Covenant (E/1984/7/Add.9; E/1986/4/Add.5) were considered by the Sessional Working Group of Governmental Experts on the implementation of the International Covenant on Economic, Social and Cultural Rights in 1984 (see documents E/1985/WG.1/SR.4-7) and also by the Committee on Economic, Social and Cultural Rights in 1987 (see documents E/C.12/1987/SR.9-11).

GE.94-19400 (E)

A. PART OF THE REPORT DEVOTED TO GENERAL PROVISIONS OF THE COVENANT

Article 1

1. In 1991, in accordance with article 1 of the International Covenant on Economic, Social and Cultural Rights, the people of Ukraine exercised their right to self-determination. This took place as a result of the ban on the activity of the Communist Party of the Soviet Union and the actual collapse of the USSR, which made it possible to apply the previously ineffective declaration in article 14 of the Constitution of the USSR and article 69 of the Constitution of the Ukrainian SSR on the right to self-determination, even to the extent of withdrawal from the USSR. There was a fundamental change in the international legal status of Ukraine, which became an independent sovereign State. Article 68 of the current Constitution defines Ukraine as an "independent democratic State governed by the rule of law".

2. Thus, the period under consideration has been one of radical changes in Ukrainian society as a result of major transformations in its political, economic, constitutional, social and cultural foundations.

3. Reforms in social and cultural spheres have led to a fundamental broadening of the rights and freedoms of citizens, which in the previous period had as a rule been merely a matter of political rhetoric. Economic reforms have primarily been concerned with the legalization of private property and the establishment of an independent economic system.

4. It must be acknowledged that the implementation of economic reforms has been unsatisfactory and has produced few positive results, not just for objective reasons, but also, to a significant degree, for subjective ones. The inconsistent and chaotic nature of the economic changes has had a negative effect on the level of protection and observance of the rights and freedoms of citizens and the guarantees for their exercise. In recent years the living standard of the Ukrainian people has fallen sharply. According to some estimates, more than half of the population are living below the poverty line.

5. It must also be pointed out that the sharp decline in the paternalistic role of the State has had both positive and negative effects. While the State's retreat from a position of dominance in many spheres of life has undoubtedly been positive, there has also been a tendency for it to abandon its functions in the area of social security for the most vulnerable sections of the population.

Article 2

6. Among the first pieces of legislation adopted after Ukraine proclaimed itself independent was the Declaration of the Rights of Nationalities of Ukraine (1 November 1991). Article 1 of the Declaration states that the Ukrainian State guarantees all peoples, national groups and citizens living on its territory equal political, economic, social and cultural rights.

7. Discrimination on grounds of nationality is forbidden and is punishable by law. The legislation of Ukraine guarantees its citizens, foreigners and stateless persons equal rights, irrespective of race, colour, sex, language, religion, political or other opinion, nationality or other similar status.

8. Foreigners and stateless persons have the same rights and freedoms, as well as the same responsibilities, as citizens of Ukraine, unless otherwise stated by the Constitution, current legislation or international treaties of Ukraine. The rights, freedoms and obligations of foreign citizens or stateless person who are permanently resident or temporarily present in Ukraine are essentially defined by the current Constitution of Ukraine and the Legal Status of Foreigners Act adopted on 4 February 1994 (see art. 6, para. 3).

B. PART OF THE REPORT DEVOTED TO SPECIFIC RIGHTS

Article 6

9. Ukraine is a party to the:

Convention of the International Labour Organisation (ILO) concerning Employment Policy of 1964 (No. 122);

ILO Convention concerning Discrimination in Respect of Employment and Occupation of 1958 (No. 111);

International Convention on the Elimination of All Forms of Racial Discrimination;

Convention on the Elimination of All Forms of Discrimination against Women.

10. The employment market in Ukraine is taking shape at a time of deepening economic crisis, falling output and a difficult financial situation for enterprises, on the one hand, together with slow progress in privatization and demonopolization and incomplete restructuring and conversion of the economy on the other. For this reason, last year the size of the regulated employment market was no more than a third of what was expected. In the current situation it is impossible to provide a realistic forecast for the future.

11. Last year, according to the employment service approximately 558,000 citizens were seeking work, of whom 181,000 were classified as unemployed. Since the beginning of this year, 150,000 citizens have sought help from this service in their search for work. During this period, jobs were found for 57,000 people. At the beginning of May, the number of citizens registered with the employment service as looking for work was 145,500, of whom 102,600 were classified as unemployed, i.e. 0.36 per cent of the economically active population. More than 72 per cent of those unemployed were women.

12. These figures indicate that unemployment is not yet prevalent on any great scale. At the same time, however, they do not reflect the real situation, as the amount of hidden unemployment is significantly greater. In

particular, it is common practice to send employees on unpaid leave. Thus, in the first quarter of last year 2.2 million people (about 9 per cent of the total workforce, of whom 1.3 million were industrial workers) were on leave without pay or with only partial remuneration.

13. Current legislation does not yet define underemployment or partial unemployment, nor does it provide social protection for citizens working on this basis. The question of the legal regulation of this problem is still to be resolved.

14. In employment terms the most vulnerable people are those living in rural and mountainous regions, where there is much spare labour (some districts of the Trans-Carpathian, Ivano-Frankovsk, Lvív and other regions. In this category can also be placed districts in which the volume of output is declining as a result of the exhaustion of raw materials and the closure of production units (Donetsk and Kyiv regions), and also districts where there is a disproportion in the employment of male and female workers (Donetsk and Dnepropetrovsk regions).

15. In formulating a State employment policy, trends in the renewal of the workforce must also be taken into account. In Ukraine they do not augur well for the future. A reduction in the birth rate from (15.3 births per thousand in 1985 to 11.5 in 1992) and an increase in the mortality rate have meant that in Ukraine the total population is not being maintained at the same level. In addition, the economically active population is ageing rapidly. A population in which more than 7 per cent of people are over the age of 65 is considered to be old and at risk of declining. In Ukraine 12 per cent of the population are over the age of 65 and more than 22 per cent are of pensionable age, i.e. more than one fifth of the population.

16. The most vulnerable category in employment terms is women with childre'. However, not just women with children, but women in general are more vulnerable to unemployment than males. In 1993, 72 per cent of all registered unemployed persons were women. An active female employment policy is therefore required to facilitate the creation of jobs, organized in such a way as to make it possible for women to look after children and hold down a job suited to their qualifications.

17. As far as the employment of young people is concerned, finding work for school leavers without vocational training has not yet become a serious problem. More than three quarters of them go on to higher education or acquire a trade at vocational training schools of various kinds. More than 300,000 persons graduate from vocational training schools every year.

18. Graduates from higher education are experiencing great difficulties in finding employment. As things now stand, finding work after completing one's studies has become more a matter for each individual graduate. Last year 8,500 graduates from higher education were classified as unemployed.

Employment and Unemployment
(at year end, thousands)

	1985	1990	1991*	1992	1993
Average total annual employment	25 591.6	25 419.1	24 995.4	24 505.0	23 945.2
of which, women	13 059.6	12 976.6	12 922.8	12 455.7	11 965.6
Total number of registered unemployed	-	-	6.8	70.5	83.9
of which, women	-	-	5.7	55.9	62.7
Total number receiving unemployment benefit	-	-	5.2	52.5	40.0
of which, women	-	-	4.1	42.2	30.8
Unemployment as a percentage of the economically active population	-	-	0.02	0.3	0.3

* Official registration of the unemployed began in 1991.

19. To facilitate full and productive employment freely chosen by its citizens, the State guarantees the able-bodied population of working age:

Free assistance from the State employment service in finding work and choosing a workplace;

Free vocational guidance, consultation, training, re-training and information to enable them to choose their type of activity, occupation and place and mode of work;

Social protection in the employment sphere in accordance with the law, including the payment of unemployment benefit to people officially registered as unemployed, and also additional material assistance for unemployed citizens and members of their families;

The provision of additional guarantees of employment for citizens who are in need of social protection and are unable to compete on equal terms in the employment market: women with young children (under the age of six), or handicapped children and single mothers with children under the age of 14; young people who have left school or graduated from vocational

training institutions and have not been placed in a job, and also other persons below the age of 21; persons approaching retirement age and some other categories of citizens;

The provision of special guarantees for workers who have lost their jobs as a result of changes in the organization of production and work.

20. To facilitate the employment of the population and satisfy citizens' employment needs, annual and long-term State and regional employment programmes are drawn up.

During 1993 the Government of Ukraine took measures to establish an active employment policy aimed at easing the situation on the employment market to some extent and reducing the level of unemployment.

Attention was focused on broadening the sphere of employment by creating new jobs in the State economy, reserving jobs for the most vulnerable sections of the population and organizing vocational training and re-training for unemployed people and on greater efforts by the State employment service in conjunction with enterprises, institutions and organizations to ensure more effective use of available jobs and vacant posts.

21. In 1993 positive steps were made in broadening the sphere of employment and reducing the number of unemployed by creating, with all the forms of financial assistance available in the Ukrainian economy, 114,800 new jobs, of which 110,400 were filled by people seeking work, including 9,600 placed by the State employment service.

22. The broadening of the employment sphere was to some extent facilitated by local authorities, which reserved jobs in enterprises, institutions and organizations for citizens who were unable to compete on equal terms in the employment market. Last year 317,100 jobs were reserved for them, of which 62,600 were taken up by persons in this category, i.e. 31.1 per cent of the total number of citizens who got jobs with the help of the employment service.

23. Against this general background there were particular difficulties in finding employment for citizens approaching retirement age, women with children under the age of six, single mothers with children under the age of 14 or handicapped children and workers dismissed by enterprises, institutions and organizations because of closures, reorganization, restructuring and redundancies. Of the total number of 1,477,000 dismissed and registered, 263,000, or 17.8 per cent, found work. Special attention was focused on finding work for women, who were in the majority in practically all categories of the population in search of employment. In 1993, women made up 58.6 per cent of the total number of persons registered with the employment service.

24. The Employment of the Population Act of Ukraine takes account of demographic factors in regulating employment and provides additional social guarantees for young people, women with small children, and people of retirement age who have not managed to find work, by creating additional jobs and specialized enterprises and organizing special training programmes.

25. To fulfil these guarantees, it is specified that up to 5 per cent of the total number of jobs in enterprises, organizations and institutions should be reserved. Anyone refusing to employ persons in this category, within the limits of the quota will be fined.

26. The situation on the employment market has also been eased somewhat by measures taken to provide temporary employment by organizing paid community work. For this purpose the employment service has concluded more than 1,400 agreements with enterprises, institutions and organizations in all areas of the State economy, at which more than 52,000 jobs have been created as a result. A total of 13,100 persons, i.e., 2.6 times more than in 1992, have been employed in the jobs created. The sums spent on financing the organization of community work have amounted to 959.6 million Ukrainian karbovantsi.

27. To balance the supply and demand of labour on the employment market, the State employment service has increased the amount of vocational training, retraining and further educational programmes for those who are seeking employment or unemployed. For this purpose almost 25,000 agreements have been concluded with education institutes of various kinds in order to train the adult population who are seeking employment. Vocational training has been given in 273 occupations and trades, and in 1993 a total of 32,400 citizens, i.e. 3.7 times more than in 1992, were sent on training or retraining programmes. The sum of Krb. 8.8 billion has been allocated for these purposes from the State fund for the promotion of employment.

28. Carrying out the above social protection measures has helped to increase the number of citizens who have found employment. During the year about 560,000 citizens have sought the help of the employment service in finding work; of those 200,000, or 35.7 per cent of the total, have actually found employment. During this period 181,000 persons registered as unemployed; at 1 January 1994, the total number of unemployed in Ukraine was 84,000, or 0.3 per cent of the able bodied population of working age, an increase of 13,400, or 19 per cent, over the figure at the beginning of the previous year.

29. The situation described in the employment market would have been more difficult had it not been for the practice of giving workers short-term unpaid leave or putting them on a shorter working day (week). However, such an artificial way of reducing unemployment cannot be a long-term solution.

30. In Ukraine economic and social reforms are not being introduced in a consistent way and are producing few results. This is also reflected in the measures being taken by the State to ensure productive employment. On the one hand, the State is giving less support to loss-making and unprofitable enterprises, while on the other it is taxing high incomes, which does not encourage greater labour productivity.

31. The State is endeavouring to promote employment by means of an active social and economic policy aimed at satisfying people's desire to choose a type of work for themselves, stimulating the creation of new jobs and encouraging private enterprise.

32. Citizens of Ukraine are free to choose types of work not prohibited by law (including those not involving paid work) and also an occupation and a place of work in accordance with their capabilities.

33. It is well known that since the beginning of the 1930s, when the passport system was introduced in the USSR and residence permits were required, the fulfilment of citizens' right to free choice of a place of work has been severely hampered, since being given a job was dependent upon having a residence permit for the location in question. Steps are currently being taken to change this situation. In 1991 article 25 of the Ukrainian Code of Labour Laws was revised; under the new text it is forbidden, when concluding an employment contract, to request from persons being recruited, details of their party affiliation or nationality, or documents not covered by current legislation, including information concerning residence permits. However, this rule is practically imperative as far as residence permits are concerned, and the problem is one which is still to be resolved.

34. In June 1992 the Supreme Soviet of Ukraine considered regulations on a single passport for citizens of Ukraine covering both internal use and foreign travel. It was proposed that residence permits should be replaced by the introduction of a system of registration. For various reasons these regulations have not come into force.

35. The training of skilled workers in Ukraine is done on a contractual basis and operates in two ways: all vocational training schools (including advanced schools) belonging to the Ministry of Education system, and directly in industry (at training centres and in enterprises' training units). In addition, training, retraining and further education programmes for workers who have been dismissed and people who are looking for jobs are carried out in the above ways, and also at study centres organized by the employment service. Workers study full-time at vocational training schools (including advanced schools) in accordance with programmes developed by the Institute of Systems Research of the Ministry of Education of Ukraine. The period of training in vocational training schools is from one to three years and in advanced vocational training schools four years. Workers train directly in industry in accordance with programmes developed by the above Institute, ministries, departments, and enterprise specialists. The period of study can be up to six months.

36. To increase the efficiency of production and improve the quality of labour, the demands of modern production and the employment market in terms of workers' qualifications are taken into account in developing training programmes.

37. Foreign citizens who are permanently resident in Ukraine are employed on the same basis and in accordance with the same rules as citizens of Ukraine. In the case of temporary residence in Ukraine, foreign citizens can be employed if they are in possession of a work permit issued by the Ministry of Labour. Foreign citizens cannot take up certain posts or do certain types of work if the law makes appointment to such posts or performance of such types of work conditional on Ukrainian citizenship. There are no other

distinctions, exceptions or restrictions in respect of foreign citizens in the legislation or administrative practice. No cases of discrimination on the grounds of race, colour, sex, religion, political opinion, social origin and so on have been recorded.

See paragraph 35. No other information is available.

No information of this nature is available.

38. The number of workers who hold down more than one job in order to maintain a certain standard of living is dependent on the economic situation and the process of economic reform. In 1992 there were 446,000 people, with two or more jobs, or about 2 per cent of the employed population, and in 1993, 318,000 people, or 1.3 per cent.

39. The transition to a market economy, changes in the sectoral structure of the State economy and the elimination of loss-making firms and enterprises have made it essential to create new conditions to guarantee Ukrainian citizens' right to employment and also to provide social protection for people temporarily out of work. For this purpose a State employment service has been created as part of the system of labour agencies to deal with all aspects of problems connected with the regulation of employment, vocational guidance, job placement and social support for citizens temporarily out of work.

40. The legal, economic and organizational principles governing employment in Ukraine, protection against unemployment and social guarantees by the State for the exercise by citizens of their right to employment are laid down in the Employment Act of Ukraine, which came into effect on 1 March 1991. Up to that time the category of "unemployed person" was not officially recognized. The adoption of the above Act has made it possible to implement a State policy in respect of employment. It is based on the principle of providing equal opportunities for all citizens, irrespective of their origin, social or material situation, race or national origin, religious beliefs, and so on. It prescribes measures to guarantee effective employment, to prevent unemployment and to coordinate the employment sphere with other aspects of economic and social policy in accordance with State and regional employment programmes.

41. International assistance to Ukraine in fulfilling the rights laid down in article 6 of the Covenant has mainly taken the form of providing expert advice on the relevant legislation, making available the experience of market-economy countries and training staff.

Article 7

42. Ukraine is a party to the:

Convention of 1951 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (No. 100);

Convention of 1921 concerning the Application of the Weekly Rest in Industrial Undertakings (No. 14);

Convention of 1957 concerning Weekly Rest in Commerce and Offices (No. 106).

43. In Ukraine the way remuneration for work is organized is governed by the Decree on Remuneration for Work of the Cabinet of Ministers of Ukraine dated 31 December 1992, which made vital changes to the methods used previously. A legal basis for the division between State and contractual regulation of remuneration for work has been established at the State, sectoral and regional levels. A system of social partnership has been introduced and is embodied in the Collective Contracts and Agreements Act of Ukraine. In 1993 a General Agreement on Pay Rates between the Government and trade unions of Ukraine established intersectoral and inter-occupational pay differentials through coefficients for the ratio of wage and salary rates to the minimum wage for workers in the different sectors of the economy. The rules of the General Agreement on Pay Rates have to be abided by when agreements are concluded on rates at the sectoral and regional levels and have to be applied by enterprises and organizations which are State-owned, rented from the State or based in State property.

44. Workers in organizations and establishments financed under the budget are paid in accordance with the unified scale of pay categories and differentials (No. 44) approved by the Cabinet of Ministers of Ukraine on 25 January 1993.

45. In Ukraine a minimum wage has come into operation covering all categories of workers, irrespective of the form of ownership of the enterprise, establishment or organization where they are employed. In Ukraine there is no special minimum wage act. However, the amount of the minimum wage is officially set by special decisions of the Supreme Council of Ukraine, which have the force of law. Since the beginning of 1993, at a time of economic crisis and inflation, the minimum wage has been fixed, and periodically revised, in the light of the poverty level, i.e. the total per capita income that enables citizens to consume goods and services at the minimum level established by the State. It has to be recognized that the method of calculating the amount of the minimum wage is far from perfect.

46. The poverty level is determined by using statistics for actual consumption by poor families and projected production of foodstuffs, non-food goods and services taking into account price trends during the period for which a new level of minimum social guarantees, including a minimum wage, is being fixed.

Poverty level, official and actual minimum wage

Month and year	Poverty level (Ukr. Krb.)	Official minimum wage (Ukr. Krb.)	Actual minimum wage paid
1	2	3	4
1993			
January	6 900	4 600	4 600
February	6 900	4 600	4 600
March	6 900	4 600	4 600
April	6 900	4 600	4 600
May	6 900	4 600	11 300
June	22 100	6 900	13 800
July	22 100	6 900	13 800
August	22 100	6 900	13 800
September	69 700	20 000	69 000
October	69 700	20 000	69 000
November	69 700	20 000	69 000
December	197 000	60 000	183 000
1994			
January	197 000	60 000	183 000
February	197 000	60 000	183 000
March	197 000	60 000	183 000
April	197 000	60 000	183 000
May	197 000	60 000	183 000
June	197 000	60 000	183 000

47. The difference between the minimum wage fixed and that actually paid arises firstly, because the actual minimum wage includes, additional payments and allowances (because of increases in the prices of food and housing and because secondly, as of 1 June 1993, in all sectors of the Ukrainian economy, the ratio of the wage and salary rate differentials for workers in category 1 to the minimum wage doubled.

48. Under the Constitution of Ukraine men and women have equal rights. To fulfil this requirement the State is aiming to ensure that women have equal opportunities with men in education and vocational training and equal remuneration for work. Special measures are taken to protect women's work and health and to create conditions which allow women to combine work with motherhood. The provisions of the Constitution have been developed in the corresponding pieces of State legislation, primarily in the Code of Labour Laws and the Labour Protection Act of Ukraine.

49. However, in actual fact women, have lower qualifications than men, for various reasons, and therefore receive lower wages. To get higher wages they

take jobs with poor working conditions and higher rates of pay (in some cases they do this to get certain privileges and to be able to retire earlier).

50. In accordance with the Code of Labour Laws and the Decree on Remuneration for Work of the Cabinet of Ministers of Ukraine dated 31 December 1992, it is forbidden to reduce remuneration for work on the grounds of sex, age, race, nationality, social or material situation, membership of voluntary organizations or political parties, or religious beliefs.

51. Manual and non-manual workers of State enterprises are paid on the basis of the unified salary rates laid down in the Decree on Remuneration for Work of the Cabinet of Ministers of Ukraine dated 31 December 1992. To ensure objective,evaluation of the work carried out, wage-and-skill specifications based on the complexity of the work and the qualifications of the worker are applied.

52. There are currently no statistical data available on the income distribution of office workers or on remuneration for piecework in the State and private sectors in Ukraine.

53. Accidents at work

	1985	1990	1993
Number of victims (thousands)	130.3	139.6	111.6*
including deaths (thousands)	3.0	2.6	2.3
Number of working days lost	2 874	3 182	2 752
Per thousand workers			
Number of victims	5.5	6.2	5.6
including deaths	0.126	0.117	0.116
Number of working days lost	121.6	140.7	137.0
Per victim			
Number of working days lost	22.0	22.8	24.7

* In addition, in 1993 5,600 people suffered from impaired capacity to work and were transferred from their usual job to a different one for one working day or more.

Article 8

54. Ukraine is a party to the:

International Covenant on Civil and Political Rights;

ILO Convention concerning Freedom of Association and Protection of the Right to Organize of 1948 (No. 87);

ILO Convention concerning the Application of the Principles of the Right to Organize and to Bargain Collectively of 1949 (No. 98).

55. Trade-union membership is voluntary. It is granted on an individual basis following a personal application from any worker who has reached the age of 14. Membership is granted at a meeting of the trade-union group, or otherwise at a meeting of the works section or other local organization. Any worker can become a trade-union member, as long as he accepts the trade-union's rules, pays his membership fees and takes part in the work of one of the local trade-union organizations.

56. Trade unions operate in accordance with rules adopted by them. They represent the interests of workers in matters related to production, work, everyday life and culture. The Trade-Union Federation of Ukraine was set up as a voluntary union for the coordination of efforts by trade unions (and their various associations), with the aim of expressing and protecting the economic, social, work, legal and spiritual interests of trade-union members. The Trade-Union Federation of Ukraine currently has 69 member organizations: 41 sectoral trade unions and 26 regional trade-union associations. Twenty-three million people are members of trade unions, belonging to 110,000 local trade-union organizations. Member organizations of the Federation have complete freedom of action and operate in accordance with their own rules and the decisions of elected bodies.

57. An important guarantee protecting the collective economic and social rights and interests of citizens is their right to strike. It is forbidden for any worker to be victimized, for any restriction to be placed on his rights or for him to be dismissed from his job for participating in strikes held in accordance with the law.

58. In Ukraine there are no special legal provisions regarding the formation of trade unions by specific categories of workers.

59. Legislation and trade-union rules in Ukraine do not place any restriction on workers' exercise of their right to join trade unions or to form them.

60. The Government of Ukraine has not imposed any restrictions on trade unions' exercise of their right to form federations or to join international trade-union bodies. Such rights are exercised by the trade unions themselves without the interference of the Government.

61. In Ukraine there are no legislative rules which restrict the rights of trade unions to function free of interference.

62. Current legislation in Ukraine gives workers the right to strike in cases where the staff or the trade unions have not managed to resolve a labour dispute by negotiation, after consideration by the conciliation commission and industrial arbitration service.

63. There are restrictions on strikes in the current legislation, which declares them to be illegal in the following cases:

If they are held for political reasons (in particular, if demands are made for changes in the Constitution, or the way in which the higher organs of State function, or for State officials to resign, or for borders to be changed;

If the legal procedure for the organization and conduct of strikes or for the consideration of a labour dispute by the conciliation commission and industrial arbitration service is infringed.

64. In Ukraine current legislation does not permit strikes to be held if they would create a threat to human life or health, at transport, civil aviation, communications, energy, or defence enterprises, at State authorities, enterprises and organizations responsible for defence, law and order and security, or at factories in continuous operation, where a stoppage would give rise to serious and dangerous consequences.

65. The law forbids people in the armed forces, police officers and civil servants to strike. Their collective labour disputes are considered by senior government officials.

Article 9

66. Ukraine is not a party to ILO Conventions Nos. 102, 121, 128, 130 or 168.

67. In Ukraine there are the following categories of social security:

Health care,

Sickness benefits,

Antenatal and maternity benefits,

Old-age benefits,

Disability benefits,

Benefits for families who have lost their breadwinner,

Industrial accident benefits,

Unemployment benefits,

Lump-sum maternity grant,

Child care allowance,

Allowances for mothers (fathers) looking after three or more children under the age of 16,

Handicapped child care allowance,

Allowance for temporary inability to work as a result of caring for a sick child,

Allowance for children under the age of 16 (students - under the age of 18),

Child allowance for single mothers,

Child allowance for fixed-term military personnel,

Allowance for children placed under guardianship (wardship),

Temporary allowance for minors whose parents evade payment of maintenance or if maintenance cannot be deducted at source.

68. Among the many aspects of social security, the State pension is especially important. Every year about a million people are awarded pensions. Pensions are regulated by the Acts of Ukraine on pensions, on pensions for military personnel and senior and ordinary officials of the internal affairs authorities, on the civil service, on the status of people's deputies of Ukraine, on the status of judges, on the Public Procurator's Office, on employment, on the status of war veterans and guarantees of their social protection, on the basic provisions of social protection for labour veterans and other elderly citizens in Ukraine, on the social and legal protection of military personnel and members of their families, on labour protection, on refugees and on the status and social protection of citizens affected by the Chernobyl disaster.

69. Under the Plan for Social Security for the Population of Ukraine, it is proposed to reform the pension system and transfer it to an insurance-based scheme. A draft Pension Insurance Act of Ukraine is being prepared.

70. State pension provision is divided into employment pensions and social pensions. The former are paid to people who have been engaged in socially useful work and are subdivided into several types: old-age pension, disability pension, pension for long service, and so on. Social pensions are paid to all citizens who are unable to work and who do not have the right to an employment pension. Thus, at present, pensions offer financial provision for all citizens who have lost their earnings (income) as a result of reaching retirement age, becoming disabled or losing their breadwinner, and so on.

71. Old-age pensions are paid, on condition that retirement age has been reached and the necessary period of work has been served:

To men who have reached the age of 60 and have worked for not less than 25 years,

To women who have reached the age of 55 and have worked for 20 years.

72. Pensions are paid at an earlier age to many categories of workers and engineering and technical staff whose conditions of work have been harmful and difficult.

73. Old-age pensions are fixed at 55 per cent of the average monthly salary, but not less than the minimum pension.

74. The minimum pension is currently Krb. 20,000, and the maximum rate does not exceed three times the minimum old-age pension.

75. Disability pensions are paid in cases where the disability leads to complete or partial loss of health as a result of an industrial accident or occupational or general illness (including disability from childhood). Pensions for disability resulting from an industrial accident or occupational illness are paid irrespective of the period worked. Pensions for disability resulting from a general illness are paid provided the person has the necessary length of service for the period of disability depending on the age of the person in question.

76. In cases of loss of the breadwinner, a pension is paid to members of his family who are unable to work, irrespective of when the breadwinner died - during his working life or after it was over.

77. In cases where citizens for whatever reason have not worked for the necessary period, the question of awarding them a pension on the basis of an incomplete period of service has to be considered.

78. Pensions are paid from the Pension Fund of the Ukraine, which is financed by insurance contributions from enterprises, institutions and organizations and compulsory insurance contributions paid by private citizens.

79. Pensions of members of the armed forces, employees of judicial and law enforcement bodies and workers involved in clean-up operations necessitated by the Chernobyl accident are paid out of the State budget.

80. Particular emphasis is placed on improving services available to the disabled and war and labour veterans. Work is under way to establish a legislative basis for the social protection of disabled people and veterans. This includes laws which were drafted and approved by the Supreme Soviet of the Ukraine on the status of war veterans and guarantees for their social protection and on basic provisions for the social protection of labour veterans and other senior citizens. The President of the Ukraine has issued an Edict on concessions available to heroes of Soviet labour, and the Council of Ministers has also issued a Decree on concessions available to heroes of the Soviet Union and full members of the Order of Fame.

81. Legislation provides for 11 different types of family allowance and stipulates a guaranteed level of State benefit for families with children based on family composition, income, children's age and state of health and other factors. As of 1 December 1993, 1.3 million people were receiving specific benefits. The total number of persons registered as pensioners with the social security authorities is 13.7 million. That figure includes:

10.7 million people receiving old-age pensions (78 per cent of the total);

1,268,886 people receiving disability pensions (10 per cent of the total);

773,634 people receiving pensions following loss of the breadwinner (8 per cent of the total);

532,030 people receiving social pensions (4 per cent of the total).

82. There are 388,823 people registered with the social security authorities as receiving pensions under the Act on the provision of pensions for members of the armed forces and senior and ordinary staff of the internal affairs authorities. That figure includes:

83,688 people receiving disability pensions;

295,135 people receiving pensions following loss of the breadwinner.

83. The tragedy of Chernobyl made it imperative to establish a legislative framework for the social protection of the victims. In February 1991, the Supreme Soviet of Ukraine approved a scheme allowing people to live in areas with increased levels of radioactive contamination as a result of the Chernobyl disaster. An Act on the legal regime applicable in the territory contaminated with radioactive material as a result of the Chernobyl disaster was also adopted, as well as an Act on the status and social protection of citizens affected by the Chernobyl disaster. Procedures have been established to make concessions and allowances available to citizens affected by the accident.

84. As of 1 November 1993, there were 25,000 people in Ukraine suffering from disabilities caused by the Chernobyl disaster. There were 342,400 people in the second category of victims, 533,200 in the third, and 1,415,100 in the fourth. Among those affected were 751,600 children. The State is spending more than Krb. 4 trillion on concessions and allowances for those victims.

85. Social protection of the population is becoming especially important now that Ukraine is developing economically and socially as an independent State and moving towards market conditions. The system of social protection in Ukraine provides social security and all manner of social assistance to almost 15 million senior citizens and persons unable to work. That figure includes 2 million disabled people, 110,000 disabled children, 650,000 people affected by the Chernobyl disaster, 400,000 elderly people living on their own and 55,000 wards of the State in residential homes. The system includes the following elements: the Ukrainian Ministry of Social Protection; 25 regional offices; 743 district and municipal social security departments; 12 pension and benefit centres; 279 residential homes for senior citizens and disabled people; 186 territorial centres and 1,400 social security offices; the concern "UKRPROTEZ" with its 10 prosthesis plants; the Scientific Research Institute

for Prosthetics in Kharkov; 6 educational institutions and 5 sanatoria for veterans and disabled people; and the Ukrainian Social Protection Fund for disabled people. Advanced training courses are yet another aspect of the system.

86. Projected budget expenditure on social protection in 1994 (including pensions and benefits) will be Krb. 71,739.4 billion, or 18.6 per cent of total budget.

87. Against a background of the economic crisis and a serious decline in the standard of living, private charitable organizations are also operating in Ukraine, in addition to the official social security system. These organizations aim to provide assistance to the most vulnerable population groups. They include such organizations as the Charity and Health Fund of Ukraine, the Children's Fund of Ukraine and the Disabled People's Society, and are concerned with providing care for sick children and assistance to the disabled, veterans, elderly people living alone, and other such groups. These charitable organizations rely on voluntary contributions from State and commercial organizations and from private citizens.

88. There are no reports of cases where people have not received social security to which they are entitled.

89. Economic reform will lead to changes in the system and rules by which social security is provided to citizens unable to work. A reform of the entire social system is planned. In addition to State social security, social assistance provided by enterprises, institutions and organizations will expand and private pension insurance will be further developed. Local government authorities, labour collectives and citizens' associations are introducing other forms of assistance and allowances to supplement State benefits which are funded from local budgets and other sources.

90. More than 260,000 people disabled during the Patriotic War and other disabled people entitled to equivalent benefits are resident in Ukraine, as are about 430,000 families of fallen servicemen, 1,015,000 people who took part in the war, 1,268,900 disabled workers and 200,700 people disabled since childhood. People in those categories have access to a wide range of concessions and privileges in terms of material benefits, medical care and social services. In recent years, those concessions and privileges have been considerably extended by a number of government decisions. Last year, 28,267 disabled war veterans and other disabled people entitled to equivalent benefits were provided free of charge with "Zaporozhets" cars by the social protection services, and 9,000 cars were sold at preferential rates to disabled workers and people disabled since childhood. Allowances for petrol and car repairs and servicing rose from 1,400 kupono-karbovantsy to Krb. 667,210 a year. Allowances for transport for disabled persons rose from Krb. 20,000 to Krb. 1,640,000 a year.

91. Social protection for disabled persons and the creation of conditions enabling them to participate in the economic and other spheres of life are regulated by the Act on the Principles of Social Protection for Disabled Persons in the Ukrainian SSR.

92. A great deal of effort is being devoted to the task of providing disabled persons and pensioners with treatment at sanatoriums and health resorts when they require it. Over 200,000 people need such treatment every year. Despite considerable difficulties, 12,000 disabled persons and pensioners were treated at trade-union sanatoriums in the first quarter of the current year and 6,500 at government ones.

93. As special transport for disabled persons, the social protection authorities allocated 19,000 cars in 1993 to be supplied to disabled persons free of charge or sold to them on favourable terms. A total of 131,000 war disabled get allowances for petrol and car servicing, and another 17,000 get allowances for transport expenses instead of a car. The budget for 1994 includes Krb. 937 billion for the purchase of 20,400 cars to be supplied to disabled persons free of charge and 14,600 for sale on favourable terms.

94. In recent years the provision of prosthetic appliances and orthopaedic services for disabled persons has improved. Under the social protection system, aid is provided for disabled persons in these areas by the Ukrainian Prosthetic Appliances Manufacture and Fitting Research Institute (UkrNDIprotezirovania, Kharkiv), 10 prosthetics enterprises, 19 workshops providing the population with simple prosthetic and orthopaedic assistance and 35 medical and technical teams providing services to disabled persons at home. The prosthetic and orthopaedic enterprises have 362,000 disabled persons on their records. Every year enterprises in the prosthetic industry fit 5,500 disabled persons with initial or more sophisticated prosthetic appliances. To improve the work of the prosthetic and orthopaedic enterprises and give them practical assistance, in March 1993 the Cabinet of Ministers of Ukraine approved the State Programme for the Development of the Prosthetic Industry and the Provision of Mobility Aids and Appliances for Disabled Persons for 1993-1994.

95. One of the most reliable forms of social protection for needy citizens who are on their own is residential homes. In recent years facilities at such homes have been considerably improved. There are at present 105 such institutions, built to standard designs, which house 65.5 per cent of the total population in need of protection. The average living space per inmate is 6.9 m^2, which is in line with public health standards. The existing system of homes fully meets the population's demand for beds.

96. After Ukraine declared its independence in 1991, legislation was drawn up under the government programme to guarantee Ukrainian citizens the right to social protection. Ukrainian citizens are at present provided with social security in accordance with the Constitution of Ukraine, the Acts of Ukraine on pensions, on pensions for servicemen and senior and ordinary staff of internal affairs authorities, on the status and social protection of citizens who suffered as a result of the Chernobyl disaster, on State benefits for families with children, and on the principles of social protection for disabled persons in the USSR, and other pieces of legislation.

97. Since 1 December 1993 the poverty level has been fixed at Krb. 197,000 per person.

98. The Act of Ukraine on the Status and Social Protection of Citizens who Suffered as a Result of the Chernobyl Disaster is intended to protect such citizens and to deal with problems of a medical and social nature due to the radioactive contamination of the area. Under the Act, citizens, and first and foremost children, have to have compulsory examinations at medical centres. Some 500,000 children affected by the disaster have received treatment at sanatoriums and health resorts this year. The Act also states that voluntary associations of victims of the Chernobyl disaster whose official purpose is to assist those who suffered as a result of the disaster are exempt, as are their funds, from any form of tax, customs duty or budgetary deduction.

99. Voluntary organizations registered and operating in Ukraine include the Chernobyl Union of Ukraine, the Union of Chernobyl Victims, the Fund for Assistance to Chernobyl Children Suffering from Leukaemia and others.

100. Citizens of other countries who suffered as a result of the Chernobyl disaster enjoy all the advantages provided for in the Act if they take up permanent residence in Ukraine.

101. As at 1 January 1993, 650,000 persons were receiving old-age pensions on special terms (having been involved in dealing with the Chernobyl disaster or having suffered from its consequences) and 77,000 persons were receiving the corresponding disability pension.

102. The State system of maternal and child welfare in Ukraine includes two main forms of benefits: in kind and in cash. Benefits in kind take the form of State subsidies for institutions at which the family can obtain services free of charge or on special terms and meet various needs. Benefits in cash take the form of direct payments. There is a comprehensive programme for dealing with disability problems (1992-1997) and regional programmes in most Ukrainian regions and towns.

103. The Cabinet of Ministers of Ukraine has approved the State Programme for the Development of the Prosthetic Industry in Order to Provide Disabled Persons with Mobility Aids and Appliances for 1993-1998, which calls for the construction of new workshops, the expansion, reconstruction and technical re-equipment of existing prosthetic and orthopaedic enterprises and the undertaking of research in this field. Initial steps have already been taken in this direction. A first prosthetic enterprise for the disabled has been opened in the Darnits a district of Kyiv financed by voluntary organizations in Bavaria.

104. In addition, leading enterprises in Ukraine have organized the production of mobility aids for disabled persons and a joint Ukrainian-German enterprise, Gerakl, has been set up on the basis of the Lviv prosthetic works, which produces 10,000 wheelchairs a year.

105. Since 1 January 1994 the Ukrainian Act on the Status of War Veterans and Guarantees of Social Protection has been in force.

106. On 10 December 1993 the Supreme Council of Ukraine adopted the Act on the Basic Principles of Social Protection for Labour Veterans and Other Citizens of Advanced Years, which introduced additional concessions and guarantees of social protection for these categories of people.

107. The Heads of Government of the CIS States have drawn up and signed intergovernmental treaties on reciprocal recognition of the rights and guarantees of persons who participated or were disabled in the Great Patriotic War, participants in military action on the territory of other States, families of servicemen who were killed and persons in other categories, on immediate measures to protect victims of armed conflict and on State social assistance for members of the families of servicemen killed or missing in Afghanistan and other States where hostilities took place.

108. On the initiative of the Committee of Veterans of the War in Afghanistan and Military Conflicts in Other Foreign Countries attached to the President of Ukraine, a decision was adopted by the Cabinet of Ministers on moral and material support for prisoners of war returning from Afghanistan.

109. Decisions have been adopted by the Cabinet of Ministers of Ukraine on:

Cut-price prescriptions for particular groups and categories of the population undergoing out-patient treatment;

Free travel for old-age pensioners on urban and suburban public passenger transport;

The procedure for granting the concessions provided for in the Act of Ukraine on Status of War Veterans and Guarantees of Social Protection for Them.

110. The Ministry of Social Security of Ukraine has drawn up a comprehensive programme for the creation of a social environment accessible for disabled persons.

111. The following draft decisions have been prepared and submitted to the Cabinet of Ministers of Ukraine for consideration:

The procedure for granting the concessions provided for in the Act of Ukraine on the Basic Provisions for Social Protection of Labour Veterans and Other Citizens of Advanced Years in Ukraine;

The procedure for the issue of the certificate of entitlement to concessions and the "labour veteran" badge.

112. There are at present 357,601 disabled persons working in Ukraine, including 23,000 blind and 25,657 deaf. There are special organizations for persons with defective vision and deaf-mutes.

113. Steps are being taken to form an association of disabled persons' voluntary organizations with a view to coordinating their activities and achieving closer cooperation in dealing with the most important problems, and draft regulations have been prepared on a Coordination Council for Disabled Persons' Affairs under the Cabinet of Ministers of Ukraine.

114. The Cabinet of Ministers of Ukraine has adopted a Decision on Improving Supplies and Equipment for Residential Institutions, Local Centres and Home Social Assistance Sections which calls for residential homes with 8,527 places to be built and brought into operation over the period 1994-1996.

115. Ukraine has 2.5 million citizens living on their own, 550,000 of whom need outside help. A system of home social assistance units has therefore been set up, together with local centres providing services for pensioners and citizens living on their own who are not fit to work.

Article 10

116. Ukraine is a party to the following instruments:

International Covenant on Civil and Political Rights;

Convention on the Rights of the Child;

Convention on the Elimination of All Forms of Discrimination against Women;

ILO Maternity Protection Convention (Revised), 1952 (No. 103);

ILO Minimum Age Convention, 1973 (No. 138).

117. The current legislation on marriage and the family does not define the term "family". In juridical practice, the members of a family are understood to be persons whose relationship is characterized by the common moral and material character of their life and the existence of corresponding rights and obligations. In family law they are the spouses, parents, children, other close relatives, adoptive parents and adopted children and other persons involved in the family's common life or in bringing up children - for example, a stepfather or stepmother, a stepchild or a person de facto fulfilling a parental role and the child concerned. The family members typically live together and have a common household, although these criteria do not necessarily apply. For example, a son performing active military service remains a member of his parents' family.

118. The break-up of a family does not always mean that the legal relationship between its former members is terminated. For example, the father of a child who establishes another family continues to have obligations in respect of tha child's upbringing and support. In housing law, family members include the tenant's spouse, any children and parents. Other relatives, dependents unable to work or, in exceptional cases, other persons may be recognized as members of the tenant's family if they live with the tenant and share a common household - for example, persons who are de facto spouses.

119. Ukrainian legislation offers no definition of the child but the proposed Rights of the Child Act states that a human being who has not reached 18 years of age, i.e. the age of majority, is to be regarded as a child. As a general rule, the child has legal capacity, but not active capacity.

120. The Civil Code of Ukraine defines active capacity as the capacity of a citizen by his acts to acquire civil rights and to create for himself civil obligations (civil capacity to act). Full capacity to act arises on reaching the age of majority, i.e. 18 years.

121. In cases where the law permits marriage before the age of 18, a citizen under that age acquires full capacity to act from the time of entering into marriage.

122. Under the Civil Code, juveniles aged 15 to 18 years have limited capacity to act.

123. The legal age of marriage is 18 years for men and 17 years for women (Marriage and Family Code). The executive committees of district and municipal councils may, in exceptional cases, lower the age for marriage, but not by more than one year.

124. Male citizens who are physically fit and of the appropriate age may be called up for short-term military service in peace-time, subject to having reached 18 years of age by the date of assignment to a military unit (Universal Military Duty and Military Service Act of 25 March 1992).

125. Juveniles who witness a crime may be questioned during a preliminary investigation and may also testify in court. The questioning of a juvenile witness aged under 14 years or, at the investigator's discretion, of a juvenile witness aged under 16 years is to be conducted, following the general rules for the questioning of a witness, in the presence of a trained educator and, where necessary, a doctor, the parents or other legal representatives of the juvenile (Code of Criminal Procedure).

126. Criminal proceedings may be brought against persons who had reached the age of 16 years or more before the crime was committed (Criminal Code, art. 10). Offenders aged between 14 and 16 years are liable to criminal prosecution only for murder, deliberate bodily injury resulting in damage to health, rape, theft, robbery, wilful destruction or damaging of State, collective or private property having serious consequences, or the deliberate commission of acts likely to cause a train accident. The death sentence cannot be imposed on offenders under 18 years of age. A person who commits a crime while under 18 years of age cannot be given a custodial sentence exceeding 10 years (Criminal Code, art. 25).

127. In family relations the spouses have equal personal and property rights. This provision is based on the constitutional safeguard of equal rights for women and men in all spheres of State political, social, economic and cultural life.

128. All Ukrainian citizens, regardless of nationality, race or attitude towards religion, have equal rights in family relations. No direct or indirect limitation of rights or direct or indirect preferential treatment is allowed in respect of marriage or family relations on grounds of nationality, race or attitude towards religion.

129. The contracting of a marriage requires the mutual consent of the persons entering into the marriage, who must have reached the age for marriage. No cases of marriage or the establishment of a family without the full and mutual consent of the persons entering into the marriage have been reported.

130. Particular emphasis is placed in labour legislation on the rules governing work performed by women during the period of active motherhood. Pregnant women and women with children under three years of age cannot be employed in overtime work, or work during rest days, and cannot be sent on assignment. Furthermore, women with children who are under 14 years of age or who are disabled cannot be employed in overtime work or sent on assignment without their consent.

131. Pregnant women can have their output or performance standards reduced on the basis of a medical certificate. For this period women must, where necessary, be transferred to lighter work not exposing them to adverse production factors, while retaining the average earnings of their previous work. These entitlements also apply to women with children under three years of age.

132. Women cannot be refused employment or have their wages reduced for reasons connected with pregnancy or breast-feeding. The employer is not entitled on his own initiative to dismiss a pregnant woman, a mother who is breast-feeding, mothers of children who are under three years of age or who are disabled, or single mothers with children under 14 years of age, except in the event of complete liquidation of the enterprise, institution or organization. Under such circumstances the woman can be dismissed but must be found alternative employment.

133. As of 1 January 1993 the social protection authorities were providing allowances as follows:

Child care allowance - 85,962 persons;

Payments to mothers/fathers looking after three or more children under 16 years of age - 719,000 persons;

Disabled child allowance - 93,156 persons;

Allowance for children under 16 years of age (students - up to 18 years) - 54,342 persons;

Child allowance for single mothers - 371,340.

134. A lump-sum allowance is payable to all mothers on the birth of a child. This allowance is received each year by about 600,000 women. Women are legally entitled to antenatal and maternity leave, amounting to 70 calendar

days before giving birth and 56 days after giving birth, and receipt of State social insurance benefits during this period. In the event of an abnormal birth or the birth of two or more children, post-natal leave is increased to 70 calendar days.

135. Working women are also granted partly paid leave to look after a child until he reaches three years. If the child needs home care, the woman may, on her request, be granted additional leave without pay for the period recommended in the medical certificate, but not after the child reaches six years of age. The period of partly paid leave to look after a child up to the age of three years and additional leave without pay to look after the child up to the age of six years is counted as part of total and uninterrupted service, and as service in the person's special field of employment.

136. A working woman is allowed breaks to breast-feed her child at intervals of not less than three hours and for periods of not less than 30 minutes each or, in the case of two or more children aged under one and a half years, for not less than one hour.

137. The legislation provides for working mothers to be paid an allowance for temporary incapacity to work in connection with care of a sick child aged under 14 years, but for a period of not more than 14 calendar days, and for staying with a child in hospital, for the whole time she remains in the hospital. The amount of the allowance is determined according to the mother's length of service and wage, but must be not less than the minimum wage.

138. Working women with two or more children aged under 12 years are entitled to an additional three days of paid leave (total leave must not exceed 28 calendar days). They also have priority in taking summer leave and additional leave to look after their children without pay for up to two weeks.

139. Women adopting newborn children directly from a maternity home are granted leave with payment of a maternity allowance under the established procedure for the period from the date of adoption and for 56 days from the date of the child's birth. A woman who adopts a child is granted leave to look after the child for the same period as a mother with her own child.

140. With the employer's agreement, arrangements can be made either upon recruitment or during employment for a woman to work less than the full working day or full working week. The employer is required to make such arrangements if so requested by a pregnant woman, a woman with a child who is aged under 14 years or who is disabled, including a child under her guardianship, or by a woman looking after a sick family member, on presentation of a medical certificate. The wage in such cases is paid in proportion to the hours worked or according to productivity.

141. The State provides material assistance to mothers bringing up children. An allowance for the care of a child up to the age of three years is granted to women who are in employment, women who are studying full-time or women registered with the State employment service, at a rate of 100 per cent of the minimum wage regardless of length of service or, in the case of non-working women, at the rate of 50 per cent of the minimum wage.

142. The State also provides assistance for low-income families bringing up three or more children, to single mothers and children under guardianship, and also for families bringing up children aged under 16 years if their average per capita income is less than the total amount established by the State.

143. Women who have given birth to five or more children and have been responsible for their upbringing until the age of 8 years and mothers of persons disabled from childhood who have brought up their children until the age of 8 years are entitled to an old-age pension on reaching 50 years of age provided that their length of service is not less than 15 years. The law requires time spent looking after children to be counted in the length of service.

144. All women in Ukraine are equally entitled to maternity protection. Particularly vulnerable groups (large or incomplete families, families with disabled children) enjoy special privileges.

145. The law regulates the conditions of employment for juveniles, i.e. persons under 18 years of age. Persons under 16 years of age cannot be given employment. In exceptional cases, with the agreement of the trade-union committee of the enterprise, institution or organization, persons who have reached 15 years of age may be given employment. To prepare young people for work, pupils of general educational institutions may be given light work, provided that it is not detrimental to their health and does not interfere with their studies, during free time from studies, once they have reached 14 years of age and if they have permission from a parent or person acting in loco parentis.

146. Persons under 18 years of age may be given employment only after a preliminary medical examination, and thereafter, until they reach 18 years of age they must be given a medical examination every year.

147. Persons under 18 years of age must not be employed in heavy work, in work under adverse or dangerous conditions, or work underground. They cannot be assigned to night work, or overtime work, or work during days off.

148. A shorter working week has been fixed for workers aged under 18 years, as follows:

From 16 to 18 years - 36 hours per week;

From 15 to 16 years (schoolchildren aged 14 to 15 years working during holiday periods) - 24 hours per week.

149. The total number of hours worked by schoolchildren in free periods during the academic year cannot be more than half of the maximum number of working hours allowed for persons of similar age.

150. For workers under 18 years of age output standards are set in proportion to the reduced number of working hours and based on the standards for adult workers.

151. The remuneration of pupils from general education schools vocational training colleges and specialized secondary educational institutions who work during time off from studies is paid in proportion to the number of hours worked or according to productivity.

152. Workers under 18 years of age are allowed annual leave for a period of one calendar month in the summer or, on their request, at any other time of year.

Article 11

153. Production declined further during the period 1993-1994. Living standards also continued to fall. The country's GDP dropped by more than a third in 1993. Ukraine ranks thirty-first out of 36 European countries in terms of per capita consumption of goods and services. Consumers' purchasing power is continuing to fall sharply. The average wage in Ukraine is Krb. 600-700,000. In the last five years only 0.2 per cent of the population had incomes of more than $1,000 per month. The official poverty line in Ukraine has been fixed at the equivalent of six times the minimum wage, although the statistics used in this calculation are somewhat approximate. The calculation was based on a consumer's monthly basket including essential food products, the cost of monthly travel on all forms of transport and the rent for an apartment.

154. During 1993 the average monthly wage and the cost of this basket were at roughly the same level (only in July 1993 did wages actually exceed the cost of the basket), indicating that wages are adequate to provide for vital necessities. However, the consumer basket contains only the minimum that is needed for monthly subsistence.

155. The share in per capita GDP of the poorest segments of the population is difficult to determine because of hyperinflation and the constantly widening gap between different socio-economic groups.

156. On average, spending on food accounts for 41 per cent of the family budget.

157. Average wages in Ukraine are sufficient for the purchase of all essential foodstuffs. Fixed low prices are maintained for basic food products. There is a network of shops selling goods at fixed State prices. During the school year children under 12 years of age are entitled to breakfast and lunch in school cafeterias at 50 per cent of the normal price.

158. The Ministry of Agriculture provides monthly (and yearly) information on agricultural output and purchase prices. These prices are increasing and are indexed to take account of inflation.

159. Health inspections and preventive measures are carried out regularly during the summer period at food markets.

160. No cases of famine or serious malnutrition were reported in any region of Ukraine during the period under review.

161. The majority of people employed in the agricultural sector work on collective farms, which for the most part are actually owned by the State and provide workers with a nominal average monthly wage. Most families living in rural areas have plots of land which they farm for themselves.

162. The provision of food for the elderly has worsened considerably over the last two to three years because pensions are not always adequate for the purchase of essential products. However, cases of malnutrition have not been reported on any significant scale.

163. The Consumer Protection Act passed in 1993 prevents excessive price rises for food products or a lowering of their quality. This Act serves on the whole to protect the interests of a wide range of consumers. State purchase prices for basic agricultural commodities are regularly indexed.

164. The requisite literature is published to disseminate knowledge about the principles of nutrition and food packaging displays information concerning the energy value of the products, the basic nutritional ingredients and a list of the vitamins they contain. The shelf life of most foods is also indicated on the packaging.

165. The fact that legislation on private ownership of land has not yet been adopted considerably hampers the process of agrarian reform. However, private farms are being established in Ukraine.

166. The State Housing Privatization Act was passed on 19 July 1992. Privatization is intended to enable citizens to exercise the right of free choice in meeting their housing needs, to encourage citizens to participate in the repair and maintenance of housing and to establish market relations in this area.

167. The situation with regard to the availability of housing can hardly be described as satisfactory.

168. The supply of housing for particularly vulnerable groups is regulated by special provisions giving precedence to disabled servicemen, persons who suffered as a result of the accident at the Chernobyl nuclear power plant, families with many children, and so on.

169. Housing construction financed from the State budget under the government social programme has been decreasing each year because of the protracted general economic crisis. This raises doubts about whether it will be possible to meet the demand out of the State housing available, however long a person may have been on the waiting-list. Services are being provided to help people on waiting-lists find temporary accommodation. Allocation of State housing is the responsibility of the local authorities.

170. Most of the housing stock - up to 80 per cent - is provided by the State sector and housing construction cooperatives. These cooperatives, which engage independently in the construction or rebuilding of housing with funding from shareholders, are being set up to encourage residential construction. The State facilitates the implementation of such projects where possible.

171. A housing market is gradually being formed, largely through privatization of State-owned apartments at fairly low prices. However, these apartments then come onto the market at prices which are many times greater. This, of course, means that the housing on the market can only be afforded by a limited number of people.

172. The situation with regard to the supply of housing is becoming more acute because of the need to resettle people who were deported from Ukraine in the 1950s and who are now returning to their historic homeland. The State is exploring every possibility of facilitating the supply of housing for persons returning to Ukraine, in particular those of Crimean Tatar nationality, and helping them with their initial re-establishment.

173. The State is allocating considerable resources to house people who have to be evacuated from areas affected by radioactive contamination as a result of the Chernobyl nuclear power plant accident.

174. With regard to international cooperation, particular reference should be made to funding from the Government of Germany for the programme to build housing for servicemen in units withdrawn from the territory of the former German Democratic Republic.

Article 12

175. Information on the physical and mental health of the population for 1991-1992 required by the programme to monitor the Global Strategy for Health for All by the Year 2000 was submitted to the Regional Office for Europe of WHO in December 1993. Similar information for 1993 was sent to the same Office on 1 August this year.

176. Ukrainian health policy is regulated by the Principles of Ukrainian Health Care Legislation (approved by the President of Ukraine on 19 November 1992).

177. Ukraine has taken into account and implemented the concept of primary health care developed by WHO. A start has been made on training doctors for general practice during a three-year internship, followed by specialization in the field of family medicine.

178. In 1990, 1.5 per cent of GNP was devoted to health, and it is planned to raise the figure to 6.6 per cent in 1994. A total of 4.5 per cent of overall health expenditure in 1994 was allocated to primary health care.

179. Infant mortality (from 0 to 1 year of age) was 14 per thousand in 1992, 14.9 per thousand in 1993 (among the urban population, 13.7 per thousand in 1992 and 14.7 per thousand in 1993; among the rural population, 14 per thousand in 1992 and 15.4 per thousand in 1993). In 1993 infant mortality was 53 per cent higher for boys than for girls among the urban population, and 43 per cent higher among the rural population. There are four regions where infant mortality is regularly lowest - Vinnitsa, Poltava, Cherkassy and Volyn - where it is between 10 and 11 per thousand. As in previous years, infant mortality was highest (18.5 to 21 per thousand) in the Ivano-Frankovsk, Lugansk and Kharkiv regions.

180. According to data for 1992, a total of 54.7 per cent of the population live in dwellings with a water supply, 76.8 per cent in towns and 11.8 per cent in rural areas. A total of 3.5 per cent of the population lack close access to drinking water.

181. According to data for 1992, 48.9 per cent of the population possess hygienic waste-water disposal facilities (sewer systems, etc.), 69.8 per cent in towns and 8.1 per cent in rural areas.

182.

1. Percentage of children vaccinated against diphtheria:

1-year-olds:	93.1%
3-year-olds:	84.6%
7-year-olds:	28.7%

Percentage of children revaccinated against diphtheria:

10-year-olds:	84.3%
14-year-olds:	86.5%
16-year-olds:	81.5%

2. Percentage of 1-year-olds vaccinated against whooping cough: 89.8%

Percentage of 3-year-olds revaccinated against whooping cough: 77.7%

3. Percentage of 2-year-olds vaccinated against measles: 94.3%

Percentage of 7-year-olds revaccinated against measles: 78.7%

4. Percentage of children vaccinated against poliomyelitis:

1-year-olds:	91.1%
2-year-olds:	80.0%
3-year-olds:	79.2%

Percentage of children revaccinated against poliomyelitis:

8-year-olds	83.3%
14-year-olds:	75.3%
16-year-olds:	81.1%

5. Percentage of newborn children vaccinated against tuberculosis: 89.4%

Percentage of children revaccinated against tuberculosis:

7-year-olds:	49.7%
17-year-olds:	7.9%

There are no figures for vaccination against tetanus.

183. No provision has been made to break down the figures into the urban and rural population.

184. Statistics based on socio-economic group are not available.

185. Average life expectancy during the last 10 years was highest in 1986, when it reached 71.2 (men: 66.1, women: 75.2). Since then it has steadily fallen and in 1992 was 68.4 (men: 62.3, women: 74.1). In 1989 average life expectancy among the urban population was 71.1, and among the rural population 70.0, in comparison with 68.7 and 67.5 respectively in 1992.

186. Medical services for the population at 1 January 1994

Indicator	Thousands	Per 10 000 population
Total number of doctors in all fields	230.2	44.4
Including paediatricians	22.5	20.9 1/
Number of middle-ranking medical personnel	600.2	115.7
including midwives	38.4	13.8 2/
Number of medical establishments	3.9	x
Number of hospital beds	678.7	130.9
including paediatric beds	91.9	85.2 1/
Number of out-patient departments		
Capacity of the out-patients departments (attendance per session)	951.7	183.5
Number of children's clinics and out-patients' clinics with a children's clinic, department or unit	3.4	1/

1/ Per 10,000 children aged from 0 to 14 inclusive.

2/ Per 10,000 women.

187. All women in Ukraine are able to avail themselves of the services of qualified personnel during pregnancy and childbirth. In 1993, 183 women died during pregnancy or during and after childbirth.

188. All children in Ukraine are able to avail themselves of the services of qualified medical personnel for care both outside and in hospital. Figures broken down for the urban and rural population are not available.

189. As a result of the Chernobyl nuclear power plant disaster 190 persons suffered acute radiation sickness and approximately 25,000 were rendered unfit for work. The disaster left a risk group of over 3 million persons, including some 700,000 children.

190. During the period under review there was no change in national policy, legislation and practice that was detrimental to the health of the population living in the high-risk area.

191. A health reform is currently being implemented, whose aim is to improve the physical and mental health of all population groups and optimize special programmes, first and foremost those for Chernobyl. In order to improve the physical and mental health of the Chernobyl population, a long-term programme has been adopted to organize medical monitoring and examination of the population; the programme provides for the improvement of the material and technical capacity of medical facilities and diagnostic centres, the provision of medicines, genetic monitoring, antenatal screening for congenital defects, and the establishment of a system of rehabilitation, socio-psychological support and psychotherapy for victims. The period of observation is too short to assess the effectiveness of the measures adopted.

192. The current Code of Labour Laws prohibits the employment of women for strenuous tasks and work that involves harmful conditions. Rules have been introduced setting maximum weight limits on loads that may be lifted and transported by hand. Night work by women is limited.

193. In particular, labour legislation lays down specific legal rules regulating work by women during the period of motherhood. Pregnant women and women with children under three years of age may not be required to work overtime or on holidays or be sent on assignment. By medical decision, output norms or performance requirements are reduced for pregnant women. They are transferred to other, lighter tasks which pose no threat to their health, while retaining their average salary.

194. Women are entitled by law to 70 days' maternity leave prior to birth and 56 days after birth, as well as a financial allowance from the State social insurance system. In the case of birth complications or the birth of two or more children, post-natal leave is extended to 70 days.

195. Working women are entitled to partially paid leave to care for children until they reach the age of three. Working mothers are entitled to a break of not less than 30 minutes every 3 hours to breast-feed their children.

196. Ukraine has adopted laws on public health and the epidemiological well-being of the population and on the protection of labour. On account of the unsatisfactory trend with regard to diphtheria and other infections, which are controlled by preventive immunization, a national programme for the immunization of the population between 1993 and 2000 has been introduced, providing in particular for the development of domestic vaccines, which are currently not produced in Ukraine.

197. Medical care for all, as well as medical treatment in case of illness is guaranteed by the Principles of Ukrainian Health Care Legislation (art. 7). It is not currently possible to assess the effectiveness of the measures adopted by the Government to reduce the number of stillbirths and infant mortality and to assure the healthy development of children.

198. The Government of Ukraine and local government bodies have adopted a series of measures to provide special facilities for the elderly so as to ensure they are not denied the right to receive medical care (this includes the provision of medicines free of charge and guaranteed out-patient and hospital care).

199. In order to ensure maximum community participation in the planning and organization of primary health care (PHC), health-care management systems have been decentralized. The underlying principle of PHC at the municipal level is independent operation of health facilities, which are financed and controlled by the local administration and community.

200. Since 1992 a reform of higher medical education has been under way in Ukraine, aimed at bringing the systems for training medical personnel and the requirements they have to meet into line with world standards and those of countries with high levels of health care. Under the health reform programme the main change in the undergraduate stage of medical training is the elimination of narrow specialization; in the medical faculties of medical universities, academies and institutes, doctors are given a general medical training based on the new curricula and programmes, leading to the award of a degree equivalent to other countries' doctorate of medicine. Doctors specialize after they have obtained their degree, during their internship, which has been extended to two years for therapists and paediatricians and three years for surgeons and general practitioners, after which they sit an examination before the State Examination Commission to obtain a doctor's certificate giving them the right to engage in independent medical practice.

201. General practitioners (family doctors) are trained through a three-year internship followed by specialization. Computer test programs are used to examine doctors seeking to qualify in a particular field. A licensing system has been introduced for private practice, both for independent doctors and for medical facilities. The measures adopted are intended to improve the quality of training for medical personnel.

202. Ukraine receives humanitarian assistance in the form of vaccines against diphtheria, tetanus, whooping cough, measles and poliomyelitis, as well as international assistance to improve the level of women's and children's health through the establishment of paediatric and obstetrical and gynaecological departments.

203. The following agreements have been signed, and programmes of cooperation are under way:

With Canada, on health care for the child victims of the Chernobyl nuclear power plant disaster - "Children of Chernobyl" and "Osvita".

With the University of Pennsylvania in the United States of America, for a perinatal case and family planning programme.

With the Munich children's centre for the medical and social rehabilitation of children suffering from diseases of the nervous system.

With leading German clinics, for the preparation of protocols for treating onco-haematological patients.

204. The most significant assistance to Ukraine in 1994 was provided by the International Committee of the Red Cross. Children's and maternity departments received medical preparations to provide emergency care for children and expectant mothers.

Article 13

205. As a party to the International Covenant on Economic, Social and Cultural Rights, Ukraine recognizes that education should be directed to the full development of the human personality, to permit the strengthening of respect for the human person and fundamental freedoms, and that it must enable persons to participate effectively in a free society, contribute to mutual understanding, tolerance and friendship among all nations and racial, ethnic and religious groups. Ukrainian legislation on education and on the operation of educational establishments and training organizations is in conformity with the requirements of the International Covenant on Economic, Social and Cultural Rights.

206.

Educational level of the population of Ukraine aged 15 and above
(Data from the 1989 population census)

	Educational level per 1 000 persons aged over 15					
	Higher education	Uncompleted higher education	Specialized secondary education	General secondary education	Uncompleted secondary education	Primary education
Urban and rural population						
Both sexes	104	15	180	311	184	138
Men	113	16	165	365	197	114
Women	97	14	192	268	173	157
Rural population						
Both sexes	35	4	105	286	213	236
Men	37	5	98	369	237	197
Women	34	4	111	221	194	265

207. Primary education in Ukraine is compulsory (Education Act, art. 29) and free.

208. All forms of secondary education in Ukraine, including vocational and technical, are open, accessible to all and free. Under article 29 of the Education Act, education is compulsory for children up to the age of 15, which covers primary and basic secondary education.

209. Higher education in Ukraine is accessible to everyone free of charge, on a competitive basis: persons who have completed secondary education (graduates of schools of general education and equivalent establishments) are admitted to higher educational institutions on the basis of the results of entrance examinations.

210. Under the Ukrainian educational system, secondary education is available to all citizens. Only in certain cases is it necessary for such education to be provided for persons who, owing to some particular circumstances, did not have a chance to get it at the right time. Persons in this category study part-time at evening (or day-release) schools, of which there were 437 in operation in Ukraine during the academic year 1993/94.

211. There are in practice no problems in enabling Ukrainian citizens to exercise the right to primary, secondary and vocational education. Opportunities for higher education are limited by the fact that higher educational institutions at the various levels of accreditation can only take 38 per cent of the total population of secondary-school graduates for first-year courses, which means that admission to such institutions is on a competitive basis.

212. In Ukraine there is practically universal literacy among all levels of the population, both urban and rural. For adults with the necessary education, programmes of post-graduate study have been set up, which are an integral part of the system of continuous education. The aim of the system is to allow specialists to renew their stock of knowledge and improve their qualifications, to give them a chance to acquire a second profession, etc. Post-graduate education allows organizations and enterprises to meet their need for better-qualified staff and enables the people concerned to satisfy their own educational aspirations and make themselves more competitive on the labour market. Ministries and departments have introduced systems of regular refresher courses for their staff (e.g. under the education system teaching staff go on refresher courses every five years).

213. The post-graduate educational system includes 549 institutions and units of various kinds, including 80 institutes and 198 departments giving refresher courses, 47 sectoral centres for training and retraining of staff, 224 schools (courses) for upgrading qualifications, etc. Over 600,000 students receive further training at post-graduate institutions every year.

214. Under the Education Act (art. 56.11) budget allocations for education must amount to not less than 10 per cent of the national income. In the 1994 budget, expenditure on education comes to slightly less than this, amounting to 9.7 per cent of Ukraine's national income.

215. Ukraine's educational system has a three-level structure (Education Act, art. 29): primary, basic (core) secondary and full (senior) secondary school.

216. Primary school is concerned with children's general development, teaching them to read and write, giving them a basic knowledge of mathematics and a general understanding of the surrounding world, inculcating universal moral standards and introducing them to the idea of work. Basic (core) secondary school ensures that they have a thorough knowledge of their native language,

are familiar with the basic subjects and are developing a view of the world and good human qualities. Full secondary education provides a thorough mastery of the core subjects and those chosen by the pupil, together with the formation of general concepts about nature, mankind and society, and fits them for higher education at a later stage. Apart from this, specialized classes and schools, gymnasia and lycees are set up to support and encourage the most gifted, able and talented children. In the academic year 1993/94 there were 95 gymnasia and 105 lycees operating in Ukraine, with a total enrolment of 96,400 pupils.

217. The system of schools of general education in Ukraine is designed to create the most favourable conditions for meeting the educational needs of all strata of the population, both urban and rural. Out of a total of 21,191 schools, 6,078 are in towns and 15,113 in the country. This ratio is the result of historical factors and the actual distribution of the population today. It is a feature of Ukraine that it has a large number of small villages, and if their inhabitants are to get the education they are entitled to, there have to be the necessary number of schools.

218. Throughout the educational system the teaching process is based on the principles of continuity, unity and universality - from pre-school to post-graduate education. School syllabuses and programmes, as elements in the overall syllabuses and programmes, consist of two components. The State component provides the amount and level of knowledge, ability and skills identified by State standards as necessary for every pupil. The school component, which accounts for 24-26 per cent of the total syllabus, includes compulsory selected subjects, alternative courses chosen by pupils, optional subjects, etc. The inclusion of the school component in the syllabus has considerably extended the possibility of taking into account regional aspects and problems, pupils' inclinations, abilities and needs and the capacities of the teaching staff at the educational institution in question.

219. Ukrainian legislation (Education Act, art. 3.1) guarantees an equal right to education irrespective of sex, race or nationality, social and property status, type and nature of work, convictions religion, state of health, place of residence, etc.

220. Women have equal rights with men in the field of education, as is confirmed by the fact that at all levels of primary school girls represent about half the total number of pupils. Thus, in the academic year 1993/1994, girls accounted for 59.5 per cent of pupils at schools of general education, 42.5 per cent of pupils at vocational training schools and 52.8 per cent of students at higher educational institutions.

221. A system of measures has been drawn up and is being implemented with a view to ensuring that children who for one reason or another are disadvantaged can exercise their right to education. For various categories of children needing social assistance and rehabilitation, there are 693 boarding schools of 28 kinds, including 286 schools of general education (36 of them for orphans and children not in the care of their parents), 258 for mentally-retarded children, 135 for children with defects in their physical

development, etc. A total of 139,900 children are being brought up and educated in boarding institutions. Children of large families and families with low per-capita incomes are eligible for preferential treatment as regards State maintenance at vocational training institutions.

222. In the Ukrainian educational system there are no limitations or privileges whatever based on a person's attitude to religion.

223. Discrimination on grounds of sex, race, nationality, language, religion, etc., is not permitted in the work of Ukrainian educational bodies. In view of the multinational composition of Ukraine's population, particular importance is attached to the implementation of anti-discrimination measures in the sphere of language and nationality and the fulfilment of all ethnic groups' rights and needs with regard to national education. In the academic year 1993/94, Ukraine had 15,661 schools teaching in Ukrainian, 2,932 in Russian, 95 in Romanian, 61 in Hungarian, 12 in Moldavian, 3 in Polish, 2 in English and 1 in Crimean Tatar; there were 2,442 schools teaching in two languages and five in three. In addition, there are classes in which teaching is given in Bulgarian, Hebrew, Modern Greek and other languages. The State arranges and finances the training of teachers to teach the languages of different national minorities and the publication of the necessary textbooks.

224. Until 1993 the level of pay for educational workers in Ukraine was fixed by law at the level of the average industrial wage (Education Act, art. 52.7) while for teachers in higher education it was fixed at twice the average wage (Education Act, art. 52.8). This meant a considerable improvement in teachers' financial position. However, the year 1993 saw the suspension of article 52 of the Education Act, with the result that teachers' pay fell considerably behind that of other categories of workers. When the Ukrainian State budget was adopted in 1994, it was decided that the level of pay for teachers should be equal to the average level in the economy. This decision improved their position somewhat, although their pay still remains considerably lower than under article 52 of the Education Act.

225. Under the legislation now in force in Ukraine, it is possible to set up non-State educational institutions. Such institutions are in fact being set up, but a considerable proportion of them do not fully meet the requirements laid down by the Government for a minimum academic level. Institutions have come into being which lack the necessary staff and methodological, academic, material and technical facilities. A provision has therefore been introduced into the existing legislation requiring educational activities to be licensed. There are no other limitations on the establishment of non-State educational institutions in Ukraine. Fifty-one licences have now been issued for the opening of private higher educational institutions (out of 200 applied for).

226. There are also 26 private schools of general education, mainly of the gymnasium and lycée type. The State gives these educational institutions the necessary assistance.

227. Parents have the right to choose freely between State and non-State educational institutions for their children.

228. Analysis of legislation and practice in the sphere of education shows that there have been no changes that have had a negative effect on the exercise of the right to education. On the contrary, the trend is towards ever fuller realization of this right and towards higher-quality and more effective teaching.

229. The Ministry of Education and educational institutions maintain close links with national and international governmental and non-governmental organizations abroad, which are giving considerable assistance in the development of the education system, improvement of teaching methods, etc., thus helping to promote fuller realization of Ukrainian citizens' right to education. Most useful has been the country's cooperation with UNESCO, the Council of Europe, the German Academic Exchange Service (DAAD), the United States Information Service, the Fulbright, Humphrey and Muskie Programmes, the Soros and Franklin Funds, and government agencies in the field of education in the CIS, Austria, Greece, Israel, Spain, China, Poland and other countries.

Article 14

230. The principle of compulsory free primary education is applied in Ukraine, in accordance with the Constitution and the Education Act.

Article 15

231. Under Ukrainian legislation citizens have the right to take part in cultural life, to manifest their own culture and to make use of cultural achievements. On 14 February 1992, the Principles of Ukrainian Legislation on Culture were adopted, which regulate social relations in the sphere of the creation, dissemination, preservation and use of cultural assets and are designed to revive and develop the culture of the Ukrainian nation and the cultures of national minorities living in Ukraine.

232. The Principles guarantee freedom of creation and unimpeded development of cultural and artistic processes.

233. Interference by censors in the creative process is not permitted.

234. The basic principles of Ukraine's cultural policy are as follows:

Recognition of culture as the main factor in the individuality of the nations and peoples in Ukraine;

Accessibility of cultural assets and of all types of cultural services and cultural activities for each citizen;

Development of cultural ties with Ukrainians living abroad (and corresponding cultural ties by the national minorities in Ukraine) with the aim of preserving the integrity of national cultures;

Comprehensive international cultural cooperation.

235. There are at present 89 theatres belonging to the system of the Ministry of Culture, 3 belonging to government departments and about 120 theatre studios operating in Ukraine, which give over 12,000 performances for 25 million theatregoers every year.

236. Cultural institutions 1993

	Total	Including in rural areas
Number of libraries, thousands	24.4	18.2
With:		
Books and periodicals, millions of copies	387.7	176.3
Readers, millions	21	10
Number of club-type cultural institutions, thousand	23.5	20.2
With:		
Seats, thousands	6 011	4 644
Number of projectors showing films for a charge, thousands	20.5	17.2
With:		
Seats, thousands	4 355	3 392
Attendance, millions	127	42
Number of museums (including branches)	295	28
Number of items in the basic collection, thousands	9 895	74
Number of professional theatres (including theatre studios)	131	-
Attendance, millions	12.5	
Number of concert organizations	49	
Attendance, millions	10.0	-

237. The museum system comprises about 500 State museums and over 6,000 run on voluntary principles.

238. Every year there are more than 50 art exhibitions in Ukraine. The public are served by 50,000 libraries (of all types) containing about 1 billion books.

239. There are 5 major film studios operating in Ukraine and about 100 small film and video studios. There are around 20,000 projectors. Films produced by Ukrainian studios account for 1 per cent of total screen time.

240. The system of training in the cultural sphere includes 82 higher and secondary educational institutions, which train specialists in 20 disciplines. Ukraine has 1,579 schools training people in the arts (music, art, dance, etc.).

241. The National Minorities Act of 25 July 1992 guarantees the right to national cultural autonomy.

242. Historical and cultural monuments of national minorities in Ukraine are protected by law.

243. Much is being done in Ukraine to revive the culture of the national minorities of Jews, Bulgarians, Poles, Gagauzes, Hungarians, Romanians, Greeks, Tatars and others.

244. The cultural needs of Russians in Ukraine are served by 37 Russian drama theatres. That represents every third theatre in Ukraine. Another 33 theatres have a mixed Ukrainian and Russian repertoire. Apart from professional theatres, there are 90 theatre studios promoting Russian theatrical culture. Children's theatres have also been established.

245. On the basis of over 200 national associations, a variety of artistic groups, amateur theatres, national craft groups, national libraries, cultural institutes and national cultural centres are coming into being.

246. One of the largest and most culturally active national minorities is the Jews. Representatives of the Jewish community have opened Solomon University and 2 lycées in Kiev and have set up 57 cultural associations. Jewish newspapers are published. There are 5 ensembles helping to spread the culture of song, dance and ritual. A number of Jewish drama theatres have been opened, including 2 in Kiev: Freilekhe and Mazltov. In February-March 1994 the first festival of Jewish culture was held in Ukraine, commemorating the 135th anniversary of the birth of Sholom Aleichem. Jewish cultural education associations have been set up in Simferopol, Zaporozhye and Kharkiv.

247. There are 324,000 Moldavians living in Ukraine. National cultural associations have been set up in places where they are present in substantial numbers: Izmail (Odessa region), Chernivtsi. These associations have formed 300 artistic groups (with over 15,000 participants). The Mertsishor and Izvorash ensembles are known throughout Ukraine.

248. The Union of Poles of Ukraine, which has 13 branches in 13 regions, is vigorously reviving its national heritage. In Kyiv, where 10,000 Poles live, there is a club and university of Polish culture and a Polish gymnasium has been opened.

249. The national culture of the Bulgarians is being revived. A Bulgarian cultural centre has been opened. It has set up a Bulgarian library and gives courses in the Bulgarian language.

250. The Hungarian national minority in Ukraine, who live close together in the Transcarpathian region, are developing their national culture. A national theatre and artistic groups have been set up.

251. A Tatar national theatre has been opened in the Crimea.

252. The Ministry of Culture has made it a first priority to enrol representatives of ethnic groups in the educational institutions in its system, with a view to training specialists in the field of art and culture.

253. All citizens of Ukraine, legal entities, State bodies and local and regional government authorities are entitled under the Constitution of Ukraine to openness in scientific and technical information, which means that they can freely receive, keep, use and disseminate it during scientific, research, industrial, voluntary and other activities.

254. The right of free access to open scientific and technical information is also guaranteed by such pieces of legislation as the Information Act of 1992, the Scientific and Technical Information Act of 25 June 1993 and the Official Secrets Act of 21 January 1994.

255. The Scientific and Technical Information Act contains a section V on "State policy in the sphere of scientific and technical information", according to which the State, with the aim of forming and developing a national system of scientific and technical information, shall ensure that measures are taken to disseminate and improve the quality of information products and services, give financial support, including currency, for the acquisition of scientific and technical information by scientific and technical libraries and protect the parties involved in relations in the area of scientific and technical information from unfair competition and monopoly in any sphere of scientific information. The State shall promote openness and general accessibility of scientific and technical information.

256. Limitations on access to dissemination and use of information which is an official or other secret, and hence protected by law, are laid down in various acts. Scientific and technical information is covered by the right of ownership. Scientific and technical information which is covered by the right of private or other forms of ownership can be transferred to State ownership if its data, assets or records are handed over on a contractual basis. Information can be handed over for safekeeping or use, without the right of ownership being transferred. Scientific and technical information and the services provided by scientific and technical information bodies, and also enterprises, organizations, institutions and individuals that engage in scientific information activities, can be the object of trade relations.

257. The Scientific and Technical Information Act determines the conditions governing the provision of information products and services. Thus, State scientific and technical information bodies and services which organize the use of State scientific and technical information resources obtain and

transfer such information on a non-profit-making basis. Scientific and technical libraries financed out of the budget provide information free of charge. Surveys and analytical and factual works of reference prepared on the basis of evaluation, assessment and analysis of scientific and technical information are sold at commercial prices.

258. State scientific and technical information bodies and services and other information centres, firms, enterprises, institutions and organizations which set up scientific and technical information facilities out of their own resources provide information products and services on a commercial basis. The international exchange of scientific and technical information takes place in accordance with agreements concluded by Ukraine. Thus, on 26 June 1992, an agreement was signed on the international exchange of scientific and technical information between Ukraine and the Republic of Armenia, the Russian Federation, the Republic of Tajikistan, the Republic of Uzbekistan and the Republic of Georgia. Under the agreement, an intergovernmental scientific and technical information coordination council has been set up to arrange for the exchange of scientific and technical information between States and to set up information facilities for joint use.

259. With a view to establishing and developing a national system of scientific and technical information in Ukraine and expanding its international cooperation in this field, the Cabinet of Ministers of Ukraine adopted on 18 June 1993 a decision on Ukraine's becoming a member of the International Centre for Scientific and Technical Information. The Ukrainian Institute of Scientific, Technical and Economic Information has concluded bilateral agreements with information centres in Poland, the Czech Republic, Slovakia, Bulgaria, Romania and China.

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